



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

May 15, 2009

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

VIA CERTIFIED MAIL 7002 0510 0004 2582 7946

Ms. Michalene Reilly
Hoosier Energy REC, Inc.
P.O. Box 908
Bloomington, Indiana 47402-0908

Dear Ms. Reilly:

Re: Approval of Minor Modification to
Solid Waste Facility Permit FP 77-03
Merom Generating Station Landfill
Sullivan County

Hoosier Energy REC, Inc. is hereby granted a minor modification to solid waste facility permit FP 77-03, pursuant to IC 13-15-1-3, IC 13-15-7-1, 329 IAC 10-11-6 and 329 IAC 10-13-6. This decision is based on the minor permit modification application submitted to the Indiana Department of Environmental Management (IDEM) on March 27, 2009, and all subsequent amendments and addenda to the application.

This minor permit modification allows Hoosier Energy REC, Inc. to make revisions to Area 2 including revised liner grades, addition of a three (3) foot perimeter berm, final cover changes, perimeter ditch, placement of a borrow area and temporary sediment basin between Area 2A and 2B, and the addition of a sixty (60) foot haul road, subject to the terms of this letter and the enclosed requirements. In accordance with 329 IAC 10-13-4, solid waste facility permit FP 77-03, as amended by this minor permit modification, does not authorize: any injury to any person or private property; the invasion of other private rights; the infringement of federal, state, or local laws or regulations; nor preempt any duty to comply with other state or local requirements.

The solid waste facility referenced above is located at Highway 54 West, approximately 3 miles east of Merom and contains approximately 290.7 acres permitted for landfilling.

Pursuant to IC 4-21.5, a Petition for Review of this minor permit modification letter may be initiated by you, as applicant, or by an "aggrieved or adversely affected person." This decision becomes effective once all applicable time periods for petitioning for Stays of Effectiveness have expired, unless you are notified in writing by an Environmental Law Judge that the minor permit modification has been further stayed. As discussed in our enclosed Notice of Decision, if you wish to challenge this decision, you must file a Petition for Review with the Office of Environmental Adjudication within 18 days from the date that this letter was mailed, pursuant to IC 4-21.5-3-7.

Ms. Reilly
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If you have any questions or comments about your application or the permitting process, call (800) 451-6027, press 0 and ask for Kelly Hall or extension 3-0449, or call direct at (317) 233-0449.

Sincerely,

A handwritten signature in cursive script that reads "Thomas Linson for".

Thomas Linson, Chief
Permits Branch
Office of Land Quality

KH

Enclosures: Permit Requirements
Notice of Decision
Letter to Sullivan County Public Library
Letter to the Sullivan Daily Times

cc: Sullivan County Health Department (with enclosures)
Sullivan County Commissioners (with enclosures)
Sullivan County Solid Waste Management District (with enclosures)
The Honorable Timothy Boles, Mayor of Sullivan (with enclosures)
The Honorable Steve Brown, President of Merom Town Council (with enclosures)
The Honorable Bill Orr, President of Carlisle Town Council (with enclosures)

PERMIT REQUIREMENTS

1. This minor modification shall be performed in accordance with the application and plans submitted to the Indiana Department of Environmental Management (IDEM) on March 27, 2009.
2. The base grades for the facility shall be constructed as shown on Sheet 3, titled "Proposed Top of Liner Grades, Restricted Waste Type II Landfill-Area 2B", dated March 2009 and received by IDEM on March 27, 2009.
3. The final cover shall be constructed in accordance with Sheet 5, titled "Proposed Final Cover Grades, Restricted Waste Type II Landfill- Area 2B", dated March 2009 and received by IDEM on March 27, 2009.

